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Attorneys for Intervenors COALITION FOR
POLICE ACCOUNTABILITY, RASHIDAH
GRINAGE, SAIED KARAMOOZ, ANNE JANKS
AND JOHN JONES, III

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DELPHINE ALLEN, et al.,	)	CASE NO. C00-cv-04599-WHO
)	
Plaintiffs,	)	DECLARATION OF REV. DR. HAROLD
	)	MAYBERRY IN SUPPORT OF THE
v.	)	INTERVENORS' MOTION TO
	)	INTERVENE AS OF RIGHT, OR IN THE
CITY OF OAKLAND, et al.,	)	ALTERNATIVE, FOR PERMISSIVE
	)	INTERVENTION
Defendants.)	
)	
	)	DATE: MAY 8, 2019
	)	TIME: 2:00 P.M.
	)	DEPT: 2, 17 TH FLOOR

I, REV. DR. HAROLD MAYBERRY, hereby declare:

1. I make this Declaration on personal knowledge in support of the Coalition for Police Accountability and other community representatives' Motion to intervene in this action.
2. I am a resident of Oakland, California. I have lived in Oakland for twenty-three years.
3. I have served as the senior pastor of First A.M.E. (FAME) Church in Oakland since October 1996. FAME has been a part of Oakland for 160 years. The church was founded just before the end of the American Civil War. It has been a staple in Oakland since 1858 and

1 has stood at the center of Black political and cultural life in Oakland throughout the years.

2 4. For the past 14 years, I have chaired the Episcopal Committee of the A.M.E.
3 Church, which is responsible for examining the ministry of active bishops and recommending
4 assignments. I am also a member of the denomination's General Board, Vice Chair of the
5 Commission on Statistics and Finance, and a member of the Executive Committee.

6 5. I am a graduate of Wilberforce University and I earned my post-graduate degree at
7 Harrington Theological Seminary.

8 6. As a pastor in Oakland, I have seen first-hand the devastating impact of lawless
9 abuse of police authority on our community and the families who live here.

10 7. I believe that the Coalition for Police Accountability and its members are suitable
11 intervenors who will represent and advocate for the interests of the residents of the City of
12 Oakland. I believe that community involvement at this stage of the NSA will expedite the
13 transformation of our police department and dramatically improve community-police relations. I
14 believe that community representation is essential to address the impact that the NSA is having
15 on our community.

16 8. In 2016, I supported the community movement to pass Measure LL, the enabling
17 legislation to create an independent police commission in Oakland. It was clear that the City's
18 Administration was unable to manage its police department and that a change in the City Charter
19 would be required to shift that responsibility to an independent civilian oversight body. Measure
20 LL passed overwhelmingly with 83% of the ballots cast in its favor.

21 9. As a result of what I have learned about the Oakland Police Department, I am not
22 surprised that, after agreeing to complete the set of reforms contained in the NSA within five
23 years (which would be 2008), the Department remains out of compliance with the most central
24 reforms that deal with the use of force, filing false reports, flawed investigations and racial
25 profiling after sixteen years.

26 10. None of the parties to this action are taking the appropriate steps to reduce the
27 amount of money that the City is paying for the enforcement of the NSA. None of the parties to
28

1 the litigation have been able to effectively curtail the use of excessive force by OPD or the
2 amount of racial profiling that occurs every day in our City. The continuing glaring deficiencies
3 in OPD's investigation of police misconduct continues to cost the City millions of dollars.

4 11. As a resident of Oakland, I am very concerned about lawless police misconduct,
5 particularly when it results in physical harm or death to persons present in our City. I am very
6 concerned about unconstitutional misconduct by our police, including the use of excessive force,
7 racial profiling, perjury and the obstruction of justice. I am acutely aware that I risk the violation
8 of my constitutional rights anytime I encounter an OPD officer. Other members of my immediate
9 family live in Oakland. They too are at risk of death or injury at the hands of OPD.

10 12. As a resident of Oakland, I pay property taxes and sales taxes. Our church and all
11 of its members pay taxes in Oakland. I am very aware and concerned that for the past 16 years,
12 our tax dollars have been used to pay for the monitoring activities mandated by this Court
13 pursuant to the NSA. At the same time, our unhoused population has spiraled out of control, we
14 are not providing services for the less fortunate residents in our community, our streets are
15 increasingly dilapidated and a host of other problems are going unaddressed to the lack of
16 financial resources. This situation must change and I believe the community's participation in
17 the NSA will bring out much-needed change.

18 I declare under penalty of perjury under the laws of the State of California and the United
19 States that the foregoing is true and correct. If called as a witness, I could and would testify
20 competently to the matters stated in this Declaration.

21 Executed in Oakland, California on April 1, 2019.

22
23 /s/ *Harold Mayberry*
24 REV. DR. HAROLD MAYBERRY, Declarant
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